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MONIKA WALTRAUD FECHT

APRIL 8 (legislative day, APRIL 2), 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6561]

The Committee on the Judiciary, to which was referred the bill (H. R. 6561) for the relief of Monika Waltraud Fecht, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor adopted child of citizens of the United States the status of a nonquota immigrant, which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill was born in Germany on September 20, 1950, and has been adopted by Lt. Col. and Mrs. Samuel Hope Sandifer who are citizens of the United States.

Congressman J. P. Richards, the author of the bill, submitted to the chairman of the Subcommittee on Immigration and Naturalization of the Judiciary Committee of the House of Representatives, the following information in connection with the bill:

CONGRESS OF THE UNITED STATES,
COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, February 15, 1952.

Hon. FRANCIS E. WALTER,
Chairman, Subcommittee on Immigration,
Judiciary Committee, House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: H. R. 6561, which I introduced on February 11 to naturalize the adopted daughter of Lt. Col. and Mrs. Samuel H. Sandifer of my congressional district, has been referred to your committee.

I am enclosing herewith complete information on the child and also a character recommendation on the parents.

If you will schedule hearings on H. R. 6561 as soon as possible and before the customary report is received, I shall be very grateful.

Thanking you for your attention, I am, with kindest personal regards,

Sincerely yours,

J. P. RICHARDS.

THE FOREIGN SERVICE OF THE
UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Stuttgart, Germany, October 16, 1951.

To Whom It May Concern:

Reference is made to the recent visit to this office by Col. and Mrs. Samuel H. Sandifer concerning the immigration visa case of their adopted daughter, Monika Waltraud Fecht (to be renamed Elisabeth Hope Sandifer), who was born in Germany on September 20, 1950, according to information given in the application for registration on the German-quota waiting list which was completed and signed by Colonel and Mrs. Sandifer on September 4, 1951.

Because this child was not born on or before June 30, 1950, she is ineligible to receive consideration under section 2 (f) of the Displaced Persons Act of 1948, as amended.

It is noted that Monika Waltraud Fecht is registered on the German-quota waiting list as of September 4, 1951. In view of the late date of registration an extended delay may be anticipated before further consideration may be given her application.

MYRON H. SCHRAUD,
American Consul
(For the Consul General).

CERTIFICATE

HEADQUARTERS,
ONE HUNDRED AND THIRTIETH STATION HOSPITAL,
UNITED STATES ARMY,
APO 403, October 19, 1951.

I certify that Lt. Col. Samuel Hope Sandifer, MC, O25158, is a member of my command; that I have known him personally for a period of approximately 1 year. In my opinion Lieutenant Colonel Sandifer is of high moral character, financially responsible, and he and Mrs. Sandifer would be ideal as foster parents.

RICHARD I. CRONE,
Colonel, Medical Corps, Commanding.

OUT-PATIENT DEPARTMENT,
ONE HUNDRED AND THIRTIETH STATION HOSPITAL,
APO 403, New York, N. Y., August 31, 1951.

Hon. JAMES P. RICHARDS,
House of Representatives, Washington, D. C.

DEAR MR. RICHARDS: I am writing to solicit your aid in obtaining a visa for a child that my wife and I have adopted.

I am a Regular Army officer, Medical Corps, now stationed in Germany. I am a native of Lowrys, Chester County, S. C., and my father is Myron G. Sandifer of Lowrys and Chester.

We have no children of our own and have recently adopted a German child, Elizabeth Hope Sandifer, born on September 26, 1950. We are informed by the

consulate in Stuttgart that an application for visa on the regular German quota will require about 2 years and we are scheduled to complete our Army tour in EUCOM about September 1952. Also, we understand that the nonquota visa law for adopted children does not apply to children born after July 1, 1950.

We have heard that it is possible by special act of Congress to grant a visa in this type of case and are therefore requesting your aid.

Pertinent available information is attached as enclosures.

Yours truly,

SAMUEL H. SANDIFER,
Lieutenant Colonel, Medical Corps, 025158,
Chief, Out-Patient Department.

INFORMATION RELATIVE TO FATHER

Name: Samuel Hope Sandifer.
Age: 35 years, date of birth: May 27, 1916.
Race: White.
Married in Memphis, Tenn., February 16, 1946.
Previous marriages: None.
Number of children: None.
Religion: Protestant (Episcopal), member of St. Paul's Church, Richmond, Va.
Occupation: Doctor of medicine in Regular United States Army (lieutenant colonel).
No convictions of criminal offenses.
Graduate of Chester High School, Chester, S. C., in 1933.
Graduate of the Citadel, the Military College of the State of South Carolina in 1937 with B. S. degree.
Graduate of Medical College of the State of South Carolina in 1941 with degree of M. D.
Internship at Brooke Army Hospital 1941–42. Salary $60 per month.
On July 1, 1942, entered upon active duty as Regular Army officer with continued duty to date.
Special courses of training while on active duty as Army officer include residency in internal medicine.
No jobs except during summer months of vacation from school, all of less than 3 months' duration.
Presently a lieutenant colonel, United States Army, on duty as Chief of Out-Patient Service, One Hundred and Thirtieth Station Hospital, Heidelberg, Germany.

INFORMATION RELATIVE TO CHILD

Full name: Monika Waltraud Fecht, to be named: Elizabeth Hope Sandifer.
Age: 11 months.
Born: September 26, 1950, in Heidelberg, Germany.
Sex: Female.
Health: Excellent.
Mother's name: Gertrud Katharina Fecht.
Father: Not yet identified.
Estimate of child's intellectual capacity: Normal for the child's age.
Religious faith of child's own mother: Protestant.

INFORMATION RELATIVE TO MOTHER

Name: Elizabeth Lea Sandifer.
Age: 34 years, date of birth, January 24, 1917.
Race: White.
Married in Memphis, Tenn., February 16, 1946.
Previously married to Grover Cleveland Martin; marriage terminated by death of husband (killed in action in World War II).
Number of children: None.
Religion: Protestant (Episcopal), member of St. Paul's Church, Richmond, Va.
Occupation: Housewife (formerly school teacher).
No convictions of criminal offenses.
Graduate of high school in Sophie Wright High School, New Orleans, La., in 1933.
Graduate of Southwestern College, Memphis, Tenn., in 1937, with A. B.
Elementary school teacher (second grade) in Memphis, Tenn., public schools from 1937 to 1946. Average salary, $100 per month. Resigned for the purpose of marriage.

DONE AT HEIDELBERG AUGUST 24, 1951, BEFORE THE NOTARY III AT HEIDELBERG

Present: Assessor Hellmuth at Heidelberg as notary.

The following persons have appeared:

1. Lt. Col. Samuel H. Sandifer, One Hundred and Thirtieth Station Hospital, APO 403, United States Army, Heidelberg 14a, Hasenbühler Weg, citizen of the United States of America.

2. His wife, Mrs. Elisabeth Anne Sandifer nee Lea, same address; she is a citizen of the United States of America.

3. Frau Dr. Erdmuthe Falkenberg as representative of the city welfare and youth office of the city of Mannheim, which is the guardian of the minor Monika Waltraud Fecht, born on September 26, 1950, at Heidelberg.

4. Rechtsanwalt Dr. W. Wulsten, Heidelberg, Rohrbacherstrasse 5.

The persons present identified themselves to the notary as follows: (1) by AGO Card D 475096, (2) by AGO Card D 475077, (3) personally known to the notary, (4) personally known to the notary. All persons present are legally capable.

The persons referred to under 1 and 2, Lieutenant Colonel and Mrs. Sandifer declare that they do not speak the German language, but only their mother tongue, being English, They appear in the presence of their legal counsel Dr. W. Wulsten who masters completely the English language and is acting as interpreter. There are no legal reasons which prevent Dr. Wulsten from acting in such capacity. All persons concerned waive that the interpreter be sworn.

The persons declare then what follows:

1. Lt. Col. Samuel H. Sandifer was born on May 27, 1916, at Walterboro, S. C., United States of America; his home address is Lowrys, S. C.; he is a citizen of the United States by birth, Protestant, lieutenant colonel in the Regular Army.

2. Mrs. Elisabeth Anne Sandifer (nee Lea) was born on January 24, 1917, at Memphis, Tenn., United States of America; her home address is the same as the one of her husband; Mrs. Sandifer is a citizen of the United States by birth, Protestant; her profession is housewife.

3. Lieutenant Colonel and Mrs. Sandifer were married on February 16, 1946, at Memphis, Tenn., United States of America; Lt. Col. Samuel H. Sandifer was not married before. Mrs. Sandifer was previously married to Grover Martin, who was killed in action during the last war. Both have no children; neither has Mrs. Sandifer any children from her previous marriage.

4. The minor Monika Waltraud Fecht was born at Heidelberg on September 26, 1950; the child was born out of wedlock. Her mother is the single Gertrud Katharina Fecht; her father has, up to now, not yet been properly identified. The mother has already formless agreed before the Mannheim Youth Office to the adoption; she has been asked to give her official consent before the notary.

The Mannheim Welfare and Youth Office as guardian of the minor child is, in this procedure, represented by the person referred to under 3. Frau Dr. Erdmuthe Falkenberg.

The Mannheim Welfare and Youth Office is the guardian of the minor child Monika Waltraud Fecht by law.

5. Lieutenant Colonel and Mrs. Sandifer now desire to adopt the child.

For this purpose Lieutenant Colonel and Mrs. Sandifer and the minor Monika Waltraud Fecht, represented by her guardian, the city youth office of Mannheim, said office represented by Frau Dr. Erdmuthe Falkenberg make the following:

ADOPTION CONTRACT

SECTION 1. Lt. Col. Samuel H. Sandifer, One Hundred and Thirtieth Station Hospital, APO 403, United States Army, residing at Heidelberg 14a, Hasenbhüler Weg, home address Lowrys, S. C., United States of America, and his wife Mrs. Elisabeth Anne Sandifer nee Lea, same address and same home address, both citizens of the United States of America, herewith adopt the minor child Monika Waltraud Fecht (girl) born on September 26, 1950, at Heidelberg, as their common marital child.

As representative of the minor Monika Waltraud Fecht, Frau Dr. Erdmuthe Falkenberg representing the guardian, namely the city youth office of Mannheim, expressively accepts the declaration of the adoption of the child.

By the adoption Monika Waltraud Fecht shall obtain the legal position of a common marital child of the married couple Sandifer.

SEC. 2. The adopting parents intend to change the Christian name of the child from "Monika Waltraud" into "Elisabeth Hope."

The family name of the child will in future be exclusively Sandifer. The full name of the child will then be Elisabeth Hope Sandifer.

1. The costs of this document will be borne by Lieutenant Colonel Sandifer.

2. The persons concerned ask and apply for the necessary permissions of the German and United States courts and authorities concerned, as well as for the judicial approval of the contract prescribed by section 1741 of the German Civil Code, in order to effect the adoption contract. They ask and entitle Dr. W. Wulsten to procure such permissions and approval and to make and accept declarations in lieu of the persons concerned.

3. The persons concerned apply for 10 copies to be delivered to Dr. W. Wulsten.

This document was read in the German language, then read by the interpreter Dr. W. Wulsten to Lieutenant Colonel and Mrs. Sandifer in the English language, then agreed upon by all persons concerned and signed by them, by the interpreter, and by the notary in their own handwriting as follows:

(Signed) Lt. Col. SAMUEL H. SANDIFER.
ELISABETH A. SANDIFER (nee Lea).
Dr. ERDMUTHE FALKENBERG.
Dr. W. WULSTEN.
Assessor HELLMUTH, *as Notary.*

III H 1320/51: This is to certify that the above document is a true copy of the original.

Heidelberg, August 24, 1951.

Notary III,
(Signed) HELLMUTH, *Assessor, as Notary.*

A certified true translation:

Dr. W. WULSTEN,
Attorney at Law.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 6561) should be enacted.

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